



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BATTALION, 13TH AVIATION REGIMENT
1ST AVIATION BRIGADE
FORT RUCKER, ALABAMA 36362-5115

ATZQ-BDE-E

21 March 2014

MEMORANDUM FOR All 1st Battalion, 13th Aviation Regiment Personnel

SUBJECT: Sexual Assault – Policy Number 2

1. Sexual assault is a crime that will not be tolerated. It is a threat not only to the safety and security of our force but to unit readiness as well. I am committed to ensuring all Soldiers, Civilian employees, and Family members live and work in an environment free of sexual assault. Every allegation of sexual assault will be thoroughly and professionally investigated. I charge all Commanders, leaders, supervisors, Civilians, and Soldiers to vigorously act to prevent and report sexual assault and establish a command climate and culture of mutual respect, trust, and safety.
2. Soldiers, Family members, and Civilians are encouraged to report sexual assault immediately. If a sexual assault occurs, go to a safe place and contact police. If uncomfortable with contacting law enforcement, call a SHARP Victim Advocate (VA), the Sexual Assault Response Coordinator (SARC), a Chaplain, the chain of command, a medical treatment facility, a friend, or the 24-hour Fort Rucker SHARP hotline at 334-470-6629.
3. Victims will be treated with sensitivity and compassion as well as the utmost dignity and respect. Commanders will implement plans to protect victims, witnesses, and alleged perpetrators from acts of reprisal.
4. Commanders will immediately notify the Criminal Investigative Division (CID) when they become aware of an allegation of sexual assault. They will also notify the SARC, higher-level command, and the Office of the Staff Judge Advocate (OSJA). Reports to higher level commanders will be consistent with USAACE Commander's Critical Information Requirements Guidance (dated 20 March 2014) and will contain only the basic information regarding the allegation of sexual assault. Personal identifiable information will not be included on CCIRs that involve a sexual assault. Within 8 days, a detailed written incident report must be provided to the Senior Mission Commander and the first O-6 and first General Officer in the chain of command of the victim and the perpetrator. Commanders will use the enclosed checklist when an incident is suspected or occurs. The Commander will maintain the checklist and ultimately sign and forward a copy to the OSJA.
5. The Commander of a Soldier accused of sexual assault will flag that Soldier immediately in accordance with AR 600-8-2, and suspend the Soldier's security clearance in accordance with AR 380-67. The Soldier will not PCS during the investigation.
6. All Soldiers and Department of the Army Civilians will receive training annually. The training will be conducted by a SARC or VA, using formal training packages.
7. This memorandum supersedes Policy Number 2 (Sexual Assault), dated 23 May 2013, and will remain in effect until changed or formally rescinded. It should be used by all commanders as their policy.

Encl


STEVEN M. PIERCE
LTC, AV
Commanding

Commanders Sexual Assault and Victim Assistance Checklist

These actions will be taken if the Commander receives a report of sexual assault.

- _____ 1. Ensure the physical safety of the victim.
- _____ 2. Determine if the victim desires or needs medical care. Advise victim of the need to preserve evidence (not showering or washing clothes). Ensure the victim receives the care he/she needs, but only involve the minimum number of personnel possible to take care of the victim.
- _____ 3. Ask the victim if he/she needs a support person (friend, battle buddy, victim advocate, chaplain).
- _____ 4. Notify Criminal Investigation Command (CID) immediately, followed by the SARC, higher-level Command, and OSJA.
- _____ 5. Determine the best courses of action for separating the victim and the accused during the investigation. Preferential consideration related to reassignment should be based on the victim's desires.
- _____ 6. Flag any Soldier under investigation of sexual assault, and suspend the security clearance.
- _____ 7. Ensure the Soldier does not PCS during the investigation.
- _____ 8. Consult with SJA, CID, and Victim Advocate prior to taking any administrative action affecting the victim. Determine in a timely manner how to best dispose of alleged victim misconduct.
- _____ 9. Within 8 days, ensure a detailed incident report is provided to the installation commander and the first O-6 and first GO in the chain of command of the victim and the perpetrator.
- _____ 10. Within 14 days of the alleged sexual assault, the BN Commander will update the victim on the status of the case. Unit Commanders will update higher commands on status of the victim and the suspect within 14 days.
- _____ 11. On a monthly basis thereafter, BN Commander will ensure the victim is updated on the case. The OSJA will update the victim on legal actions, courtroom procedures, and necessary testimony. Unit Commanders will update higher commands on status of the victim and subject on a monthly basis.
- _____ 12. Upon final case disposition, the BN Commander will ensure the victim is updated on the case disposition.
- _____ 13. Within 45 days after disposition, the BN Commander will follow up with the victim to ensure the victim's needs have been addressed.

CHECKLIST FORWARDED TO:

OSJA on _____, 20____
SARC on _____, 20____

COMMANDER (Printed name and rank)

COMMANDER Signature